

“(c) FACTORS.—In promulgating the regulations required under subsection (a), the Secretary shall consider—

“(1) the nutritional needs of students in various grade levels;

“(2) the proximity of any area where foods of minimal nutritional value may be sold, donated, or served without charge to the food service facilities or areas;

“(3) the extent to which students will likely substitute consumption of foods of minimal nutritional value for other food served in participating schools under this Act and the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.); and

“(4) the benefits to a school of permitting the sale, donation, or service without charge of foods of minimal nutritional value, including the extent to which the proceeds of such sales inure to the benefit of a school or an organization of students approved by a school.”.

(b) REGULATIONS.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of Agriculture shall promulgate such regulations as are necessary to implement the amendments made by this section.

(2) FOODS OF MINIMAL NUTRITIONAL VALUE.—In promulgating the regulations, the Secretary shall review and (as necessary) revise the definition of “foods of minimal nutritional value” that is used to carry out the Child Nutrition Act of 1966 (42 U.S.C. 1786) and the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.).

(3) PROCEDURE.—The promulgation of the regulations and the administration of the amendments made by this section shall be made without regard to chapter 35 of title 44, United States Code (commonly known as the “Paperwork Reduction Act”).

(3) CONGRESSIONAL REVIEW OF AGENCY RULE-MAKING.—In carrying out this subsection, the Secretary shall use the authority provided under section 808(2) of title 5, United States Code.

Mr. LUGAR. Mr. President, I am pleased to join my good friend and colleague, Senator PATRICK LEAHY in introducing the Better Nutrition for School Children Act of 2003. This bill takes a common sense, flexible approach to the sales of food that competes with federally supported school meals, and represents one component of addressing the overall health of our Nation's children.

This year Congress will address a number of the Federal nutrition programs, including those administered through local school systems. Our Nation's schools provide our children with over 28 million federally subsidized meals each day. For some of these children, these meals provide the bulk of their nutrition needs. As a result, the meals served by schools should meet balanced nutrition standards in order to promote overall health.

Unfortunately, an increasing number of our Nation's children are becoming overweight and obese. Children who are overweight and obese are much more likely to have difficulty controlling their weight in the future, which increases their risk of medical problems such as diabetes and heart disease. In order to address this issue, Congress has a duty to analyze variables at school that affect a child's health, including foods of minimal nutritional value.

In addition to the federally subsidized foods served in our schools, many children have access to and choose to purchase competitive foods from other sources, such as vending machines. This bill asks the Secretary of Agriculture to investigate the sales of foods that are outside the Federal meal programs and issue a regulation that balances the schools' interests with that of overall childhood health. In particular, the regulation must take into consideration the financial benefits a school receives from competitive food sales, how likely a child is to make this choice instead of nutritious foods, and the nutritional needs of children according to their school grade level. This bill does not require the Secretary to implement any further restrictions than what currently exist.

I believe this bill provides a rational approach to one facet of improving the health and fitness of our Nation's children. I urge my colleagues to join us in supporting The Better Nutrition for School Children Act of 2003.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 132—COM-MENDING JOHN W. KLUGE FOR HIS DEDICATION AND COMMITMENT TO THE LIBRARY OF CONGRESS

Mr. STEVENS (for himself, Mr. FRIST, Mr. DASCHLE, Mr. WARNER, Mr. LOTT, and Mr. DODD) submitted the following resolution; which was considered and agreed to:

S. RES. 132

Whereas John W. Kluge is the greatest individual benefactor in the history of the Library of Congress (the “Library”) and is known in the international corporate community as one of the Library's staunchest supporters;

Whereas John W. Kluge, by the example of his wise counsel and leadership as the founding chairman of the James Madison Council, the Library's private sector philanthropic organization, has inspired many others to join in support of Library programs and initiatives;

Whereas John W. Kluge has faithfully served on the Library's Trust Fund Board since 1993;

Whereas John W. Kluge's visionary support for Library programs which reach across America and around the world has transformed the Library into an unparalleled electronic educational resource;

Whereas John W. Kluge has established in the Library an endowed scholarly program of chairs and fellows in areas of study not covered by the Nobel prizes;

Whereas John W. Kluge has enabled the American people, through the Library, to recognize lifetime scholarly achievement in the intellectual arts with a \$1,000,000 prize award which will be given for the first time in November 2003;

Whereas the Librarian of Congress, James H. Billington, considers John W. Kluge “one of the Library's greatest friends”;

Whereas all Americans have greatly benefited from the generosity of John W. Kluge; and

Whereas John W. Kluge has inspired Americans by his example of support for programs

which educate and equip individuals to be responsible and productive citizens: Now, therefore, be it

Resolved, That the Senate—

(1) commends John W. Kluge for his dedication and commitment to the Library of Congress;

(2) expresses its sincere gratitude and appreciation for his example of philanthropy and public service to the American people; and

(3) directs the Secretary of the Senate to transmit a copy of this resolution to John W. Kluge.

SENATE RESOLUTION 133—CON-DEMNING BIGOTRY AND VIOLENCE AGAINST ARAB AMERICANS, MUSLIM AMERICANS, SOUTH-ASIAN AMERICANS, AND SIKH AMERICANS

Mr. DURBIN (for himself, Mr. SUNUNU, and Mr. FEINGOLD) submitting the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 133

Whereas all Americans are united in supporting American men and women who protect our Nation abroad and at home;

Whereas thousands of Arab Americans, Muslim Americans, Sikh Americans, and South-Asian Americans serve in the military and in law enforcement, working to protect all Americans;

Whereas the Arab-American, Muslim-American, Sikh-American, and South-Asian-American communities are vibrant, peaceful, and law-abiding, and have greatly contributed to American society;

Whereas Arab Americans, Muslim Americans, Sikh Americans, and South-Asian Americans, as do all Americans, condemn acts of violence and prejudice;

Whereas the United States Senate is concerned by the number of bias-motivated crimes against Arab Americans, Muslim Americans, Sikh Americans, and South-Asian Americans, and other Americans in recent months: Now, therefore, be it

Resolved, That the Senate—

(1) declares that the civil rights and civil liberties of all Americans, including Arab Americans, Muslim Americans, Sikh Americans, and South-Asian Americans, should be protected;

(2) condemns bigotry and acts of violence against any Americans, including Arab Americans, Muslim Americans, Sikh Americans, and South-Asian Americans;

(3) calls upon local, State, and Federal law enforcement authorities to work to prevent bias-motivated crimes against all Americans, including Arab Americans, Muslim Americans, Sikh Americans, and South-Asian Americans; and

(4) calls upon local, State, and Federal law enforcement authorities to investigate and prosecute vigorously all such crimes committed against Arab Americans, Muslim Americans, Sikh Americans, and South-Asian Americans.

Mr. DURBIN. Mr. President, Arab Americans, Muslim Americans, Sikh Americans, and South-Asian Americans are an important part of America. Like other ethnic and religious groups, they and their ancestors came to this country seeking political freedom and economic opportunity. They have flourished, making great contributions to our society every day. They are